

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-15 were pending prior to the Final Office Action. Claims 2 and 6 are cancelled and claims 16-19 are added. Therefore, upon entry of this reply, claims 1, 3-5, and 7-19 will be pending. Claims 1 and 5 are independent.

NO NEW ISSUES

In this reply, claims 2 and 6 are cancelled and the features recited therein are incorporated into independent claims 1 and 5, respectively. Thus, no new issues are presented by the amended claims 1 and 5.

§ 103 REJECTION – HIGUCHI, CONVENTIONAL ART

Claims 1-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Higuchi et al. (U.S. Patent 6,132,652) in view of the conventional art (CA, as illustrated in Fig. 3 of the present disclosure). As noted above, claims 2 and 6 are cancelled and the features therein are incorporated into independent claims 1 and 5, respectively. Thus, Applicants will treat claims 1, 3-5 and 7-15 as allegedly being unpatentable over Higuchi and CA. Applicants respectfully traverse.

First, the Examiner has not established that Fig. 3 qualifies as prior art. It is improper for the Examiner to reject the claims based on any combination of references that include the CA.

Also, claim 1 recites, in part, “wherein said at least one fastening member extends through said core material portion into said stamper.” The Examiner alleges that the plate-shaped metal mold 1b as illustrated in Figs. 1 and 3 of Higuchi is equivalent to the stamper as recited in claim 1. However, Higuchi merely shows the bolt attaching the holding member 1c to the common use base portion 1a. Higuchi is silent regarding whether the bolt (allegedly equivalent to the fastening member as recited) extends through the plate-shaped metal mold 1b. In other words, Higuchi does not teach or suggest the feature of “wherein said at least one fastening member extends through said core material portion into said stamper.”

The Examiner attempts to cure this deficiency by merely making a statement that it is *prima facie* obvious that the bolts would be passed directly into the metal mold 1b should that be desired. *See Office Action, pages 2-3, item 2.* Since Higuchi does not teach or suggest this feature, the Examiner is essentially taking Official Notice that incorporating such a feature is obvious. Applicants respectfully challenge the Official Notice taken, and request that a valid prior art reference be cited.

Further, modifying Higuchi to incorporate the feature as suggested by the Examiner would render Higuchi unsatisfactory for its intended purpose. Higuchi clearly envisions the plate-shaped metal mold 1b as being independently interchangeable from the common use base portion 1a. For example, Higuchi states “when the other light guide plate for a surface light source 4 which differs in the pattern of the light emitting surface 4a but is the same in the entire dimensions is produced, the plate-shaped metal mold is detached, and the other plate-shaped metal mold having a desired pattern is attached to the common use base portion 1a.” *Emphasis added, see Higuchi, column 6, lines 38-46.*

If Higuchi is modified as suggested by the Examiner, then the independent interchangeability of the plate-shaped metal mold 1b from the common use base portion 1a would be destroyed. Because such modification would render Higuchi unsatisfactory for its intended purpose, by definition, there is no motivation to combine Higuchi with the CA.

Independent claim 5 recites, in part, “forming at least one fastener hole through the core material portion and extending into the stamper electrotpe.” As demonstrated above, it is clear that claim 5 is distinguishable over the combination of Higuchi and the CA.

Claims 3-4 and 7-15 depend from independent claims 1 and 5 directly or indirectly. For at least due to the dependency thereon, these dependent claims are also distinguishable over the combination of Higuchi and CA.

The dependent claims are also distinguishable on their own merit. For example, claim 4 recites, in part, "wherein said stamper is between 6 and 12 mm thick." The Examiner alleges that Higuchi shows the plate-shaped metal mold 1b being approximately as thick as the molded light guide 4 and that the light guide has a thickness range between 1 and 8 mm. First, Higuchi is silent regarding whether or not the plate-shaped metal mold 1b is similar in thickness to the light guide 4 that is produced. The Examiner appears to be relying on the relative visual dimensions of the components as illustrated in the figures of Higuchi. But it is also noted that Higuchi gives no indication that the drawings are drawn to scale. It is well established that, "patent drawings do not define the precise proportions of the elements and may not be relied on to show particular sizes if the specification is completely silent on the issue." *Emphasis added; see MPEP 2125.* Thus, without more, the Examiner's reliance on the figures of Higuchi is improper.

Also, Higuchi does disclose a method of producing the plate-shaped metal mold 1b. Higuchi states, "a metal abundant in durability such as nickel is deposited to a thickness of approximately 0.2 to 0.3 mm by electroforming on the pattern surface of the original plate." *Emphasis added, see Higuchi, column*

7, *lines 47-50*. This is nowhere near the scale of 6 to 12 mm as recited in the claim. Clearly, claim 4 is distinguishable on its own merit over the combination of Higuchi and CA.

Similarly, claim 8 recites, in part, “wherein the stamper electrolyte is between 6 and 12 mm thick.” It is abundantly clear that claim 8 is also distinguishable on its own merit.

For at least the reasons stated above, Applicants respectfully request that the rejection of claims 1-15 based on Higuchi and CA be withdrawn.

NEW CLAIMS

Claims 16-19 are added through this reply. All new claims are believed to be distinguishable over the cited references, individually or in any combination for at least due to their dependencies from independent claims 1 and 5. Applicants respectfully request that the new claims be allowed.

CONCLUSION

All objections and rejections raised in the Final Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg.

No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: April 25, 2006

Respectfully submitted,

BIRCH, STEWART, KOLASCH &, BIRCH, LLP

By: Esther H. Chong
Esther H. Chong
Reg. No. 40,953

HNS
EHC/HNS/gf
2658-0314P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s):